

13. (CANCELLATION OF MINERAL EXTRACTION LEASE, SAN BERNARDINO COUNTY - P.R.C. 382.2.)

After presentation of Calendar Item 14 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO CANCEL MINERAL EXTRACTION LEASE P.R.C. 382.2, SAN BERNARDINO COUNTY, DUE TO THE FAILURE OF THE LESSEE TO COMPLY WITH THE RULES AND REGULATIONS OF THE COMMISSION AND TO PAY THE REQUIRED RENT. IN THE EVENT THAT THE AMOUNT DUE IS NOT FULLY PAID, THE ATTORNEY GENERAL IS TO BE REQUESTED TO TAKE THE REQUIRED STEPS TO FORCE COLLECTION OF THE AMOUNT DUE.

Attachment

Calendar Item 14 (1 page)

MINERAL LEASE

14.

(CANCELLATION OF MINERAL EXTRACTION LEASE, SAN BERNARDINO COUNTY - P.R.C. 382.2.)

Mineral Extraction Lease P.R.C. 382.2 covering the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 16, T. 31 S., R. 44 E., M.D.B. & M., San Bernardino County, was issued to J. E. Hicks of Huntington Park, California, July 6, 1950 as a preferential mineral extraction lease under the provisions of Section 6895 of the Public Resources Code and assigned with Commission approval to Insulation Mining and Milling Company, a California corporation, on October 5, 1950. The acceptance by Insulation Mining and Milling Company provides that the assignee agrees to perform the conditions, covenants, and agreements therein contained on the part of the lessee to be kept and performed in the manner therein provided.

Section 3 of the lease provides in part that the lessee will pay to the State the rental without deduction, default or delay. In the event of the failure of the lessee to do so, it shall be lawful for the State to re-enter into and upon the demised premises and repossess and enjoy the premises as in the first and former estate of the State. The assignee has been notified that the annual advance rental in the amount of \$40 for the year 1956 has not been received. Lessee's Quarterly Reports of Operations and Quarterly Statements of Shipments and Sales have not been submitted since September 30, 1955. Requests for these reports have not been answered. On November 2, 1956, Mrs. Nellie Frey, President of the Insulation Mining and Milling Company, was notified that a recommendation would be made to the Commission for the cancellation of Mineral Extraction Lease P.R.C. 382.2. No reply has been received as a result of this notification.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO CANCEL MINERAL EXTRACTION LEASE P.R.C. 382.2, SAN BERNARDINO COUNTY, DUE TO THE FAILURE OF THE LESSEE TO COMPLY WITH THE RULES AND REGULATIONS OF THE COMMISSION AND TO PAY THE REQUIRED RENT. IN THE EVENT THAT THE AMOUNT DUE IS NOT FULLY PAID, THE ATTORNEY GENERAL IS TO BE REQUESTED TO TAKE THE REQUIRED STEPS TO FORCE COLLECTION OF THE AMOUNT DUE.